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COUNSEL

2009 APR 16 P 3 26

THOMAS J. SPARGO, ESQ.
363 Joslyn School Road
East Berne, New York 12059

Telephone: (518) 872-2145

April 10, 2009

BY TELEFAX And MAIL

Federal Election Commission
Attn: Ruth Heilizer, Esq.
Complaints Examination & Legal Administration
Washington, D.C. 20463

Re: MUR 6098

Dear Ms. Heilizer:

I am the attorney for the Hanna For Congress Committee and Richard Hanna, the candidate and have previously filed a Statement of Designation of Counsel signed by the Treasurer, Daniel Robertello, CPA.


I have previously submitted an affidavit of the candidate and I am enclosing herewith my affirmation as an attorney as an answer and reply to the allegations set forth in the complaint lodged by Mitchell Ford, the city democratic chairman of Utica, New York against the Hanna for Congress campaign in the 24th Congressional District in New York.

I appreciate the courtesies of your office and the Commission in considering the attached information as an explanation of and an amelioration of the allegations of non-compliance with the Federal Election Campaign Finance Laws and Regulations.

I have communicated with your office and was extended permission to file this letter and attachments by telefax today and that such filing would be considered timely when followed up by sending the hard copy with original signatures by mail.

In addition, I indicated that this letter should be considered an application for ADR treatment of the issues raised in the complaint and the accompanying response.

Sincerely,



29044242649

**AFFIRMATION BY RESPONDENT HANNA FOR CONGRESS
TO FEDERAL ELECTION COMMISSION
IN REPLY TO MUR 6098**

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COMMISSION
HOUSE OF REPRESENTATIVES
OFFICE OF GENERAL
COUNSEL

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STATE OF NEW YORK)

ss.:

COUNTY OF ALBANY)

The undersigned, being an attorney duly admitted to practice law in the courts of the State of New York and maintaining an office at 363 Joslyn School Road, East Berne, New York 12059, makes the following statement as true under the penalties of perjury:

1. That I am the attorney for the Richard Hanna For Congress Committee and Richard Hanna, the candidate for election to the House of Representatives from the 24th Congressional District in New York. I have previously had filed with the Commission a Statement of Designation of Counsel dated July 28, 2008.

2. This response is made to a complaint filed by Mitchell G. Ford, the Democratic City Chairman of the City of Utica, New York dated October 14, 2008 which has been assigned MUR number 6098.

3. The complaint alleges a failure by the Hanna Principal Campaign Committee, Richard Hanna for Congress, to include on a campaign door hanger the disclaimer identifying the source of payments for the item with the required lined box surrounding it.

4. The complaint identifies the front and back of a campaign door hanger that is utilized by campaign workers to leave at a voter's residence when a voter is not at home

and the door hanger which is attached to the complaint has printed on one side the disclaimer language: "Paid for by Hanna For Congress".

5. We acknowledge that such disclaimer is not set off in its separate box as required by paragraph (c)(2)(ii) of section 110.11. On September 7, 2008, I replied to a prior complaint by Mitchell Ford, the complainant herein, which had called attention to a piece of Hanna campaign literature that failed to have the required separate box around the disclaimer. At that time, the campaign, at Mr. Hanna's direction, had taken steps to insure compliance with that specific requirement of the disclaimer notice, by giving direction and highlighting that requirement to those responsible for publishing materials.

6. This initial printing of door hangers proved to be insufficient and they were more popular than anticipated so a second printing was ordered from Village Printing of Endwell, New York.

7. The copy of the door hanger attached to the complaint must have obviously come from that second printing and under the last minute circumstances of a second printing a failure occurred to assure compliance with the separating lined box being placed around the disclaimer.

8. From Mr. Hanna's perspective he is disappointed that this kind of detail was not successfully complied with when the routine requirements of campaign materials are prepared and published as he set forth in his affidavit.

COMPLIANCE WITH LAWS AND REGULATIONS:

9. The Richard Hanna for Congress Committee has been focused from the outset on complying with the detailed requirements of the Federal Election Campaign Act as well as the Regulatory requirements that have been adopted by the Commission to implement the campaign statutes.

10. To that end the Hanna for Congress Committee had hired Capital Effects LLC of Washington, D.C. to give appropriate guidance and direction to the candidate and his principal campaign committee on complying with campaign legal requirements specific to the federal requirements of a congressional campaign.

11. Mr. Hanna was never before been a candidate for any public office and he has used his best efforts to comply with the detailed requirements of public disclosure of campaign financial transactions and transparency in the conduct of his campaign.

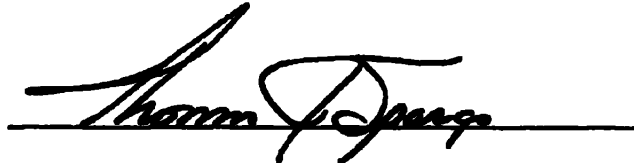
12. The complaint has identified an important part of apparent non-compliance with the requirements of the regulations of disclaimers being set forth on campaign materials.

13. As to the failure to include the lined box surrounding the disclaimer on the door hanger in question, there was non-compliance with the disclaimer requirement, although as stated the Respondent Richard Hanna for Congress Committee paid for the door hangers as indicated in the disclaimer.

14. If more information or clarification of the information set forth herein is required or would be helpful in answering the allegations of the complaint, the

undersigned and the Richard Hanna for Congress Committee stand ready to cooperate fully in any way requested.

Dated: April 10, 2009
East Berne, New York

A handwritten signature in cursive script, reading "Thomas J. Spargo", is written over a solid horizontal line.

THOMAS J. SPARGO